

## UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. no. 09/763,250

Filed: February 15, 2001

Examiner: Karl D. Frech

Art unit: 2876

Confirmation no. 4576

Attorney docket no. HRCMP002USNP

## Certificate of transmission

I certify that this paper is being transmitted by fax to 703-872-9318 on March 4, 2003.

  
Carl Oppedahl

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## RESPONSE TO OFFICE ACTION

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This paper responds to the Office Action dated February 26, 2003. This application is an international application in national stage filed under 35 USC section 371. In this Office Action the Examiner purports to impose a restriction requirement.


The Examiner's attention is respectfully directed to 37 CFR section 1.499 and MPEP section 1893.03(d):

Examiners are reminded that unity of invention (not restriction) practice is applicable in international applications ... in national stage (filed under 35 U.S.C. section 371) applications.

It is also noted that this Examiner prepared the International Search Report in this application on February 22, 2000 (copy enclosed for convenient reference), and that in the International Search Report this Examiner found no lack of unity of invention.

As such, it is respectfully requested that the Examiner withdraw the Office Action and proceed to examination of the application.

Respectfully submitted,

  
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## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference HRCMP002WO	FOR FURTHER ACTION	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/US99/27771	International filing date (day/month/year) 22 NOVEMBER 1999	(Earliest) Priority Date (day/month/year) 15 JUNE 1999
Applicant H. Randall Craig		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. ☐ Certain claims were found unsearchable (See Box I).
2. ☐ Unity of invention is lacking (See Box II).
3. ☐ The international application contains disclosure of a nucleotide and/or amino acid sequence listing and the international search was carried out on the basis of the sequence listing
  - ☐ filed with the international application.
  - ☐ furnished by the applicant separately from the international application,
    - ☐ but not accompanied by a statement to the effect that it did not include matter going beyond the disclosure in the international application as filed.
  - ☐ transcribed by this Authority.
4. With regard to the title, ☒ the text is approved as submitted by the applicant.  
☐ the text has been established by this Authority to read as follows:
5. With regard to the abstract,
  - ☐ the text is approved as submitted by the applicant.
  - ☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. The figure of the drawings to be published with the abstract is:  
Figure No. 12
  - ☐ as suggested by the applicant.
  - ☒ because the applicant failed to suggest a figure.
  - ☐ because this figure better characterizes the invention.☐ None of the figures.

Form PCT/ISA/210 (first sheet)(July 1992)\*

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US99/27771

## Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

A single axis rotatable disc calendar for calculating time periods and future dates based on current or past events is disclosed. In particular, calculators for determining fertility timing, testing and treatment dates have a base circular calendar (61) and one or more discs (58, 59, 60) containing information about menstrual cycles and ovulation events. The base circular calendar has 365 divisions (67) for the days in the year or 153 divisions for a shortened calendar excluding February. A separate February calendar with a leap February month is provided on the back of the base.

Form PCT/ISA/210 (continuation of first sheet(2))(July 1992)\*

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US99/27771

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(6) : G06C 27/00

US CL : 235/66

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 235/66, 1C; 40/111, 113, 114, 115

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched  
None

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

BRS

search terms: calender, disk, axis, pivot, menstrua\$, rotat\$

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 4,625,099 A (FREEDOM) 25 November 1986 (25/11/86), columns 3-6, fig 1.	1-127
Y	US 4,092,521 A (WEISSHAAR) 30 May 1978 (30/05/78), columns 4-8, figs 1-3.	1-127
Y	US 3,771,716 A (SANCHEZ) 13 November 1973 (13/11/93), columns 1-2, fig 1.	1-127
A	US 4,041,628 A (SASSON) 16 August 1977 (16/08/77), see entire document.	1-127
A	US 5,837,197 A (PORRAZZO et al) 17 November 1998 (17/11/98), see entire document.	1-127
A	US 5,310,994 A (THABET et al) 10 May 1994 (10/05/94), see entire document.	1-127

☒ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier document published on or after the international filing date	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&" document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means	
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search 22 FEBRUARY 2000	Date of mailing of the international search report 30 MAR 2000
Name and mailing address of the ISA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230	Authorized officer KARL D. FRECH Telephone No. (703) 305-3491

## INTERNATIONAL SEARCH REPORT

International application No. PCT/US99/27771
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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4,308,678 A (SLOBIN) 05 January 1982 (05/01/82), see entire document.	1-127

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